IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 12 0F 2007
IN
FRIST APPEAL NO. 80 OF 2001

1. Shri Adi K. Dhondy & Anr. .. Petitioners.

V/s.

Mrs. Mehroo Ganesh Vdyawar .. Respondent.

Mr.J.Reis, Sr. Counsel a/w Niranjan Pandit i/by Hemant Sethi & Co. for the Petitioners.

Mr.P.K.Dhakephalkar Sr.Counsel a/w. Mr.Jaydeep Deo for the Respondent.

CORAM : S. A. BOBDE, J.

DATED : 01st August, 2007.

P.C. :-

. The petitioners have alleged breach of the order of this court dated 29.06.2007. According to the petitioners though under the said order the respondent was to allow the petitioners' entry in the residence, she denied it on the petitioners' return from USA. As a result of which the petitioners had to stay elsewhere. According to the petitioners, she denied the entry on the pretext of consulting a lawyer.

2. Mr.Dhakephalkar, the learned counsel for the respondent states that the respondent was consulting a

lawyer and that she had applied for a modification of the order of this court. She, therefore, wanted to ensure whether she may validly allow the petitioners to enter. What ever be the reason, the learned counsel for the respondent has pointed out that the respondent has tendered an unconditional apology to this court for her conduct.

3. Having regard to the circumstances of the case and the apparent reason why the respondent did not allow the petitioners to enter, as stated above, I am inclined to accept the unconditional apology of the respondent. It is hereby accepted. More-over there is an assurance by the respondent that the order of this court dated 29th January, 2001 and the subsequent order dated 17th January, 2007 will be scrupulously complied with. In addition, the respondent is directed that in case she changes the lock and key of entry to the suit premises, she should hand over a duplicate key of that lock to the petitioners' Advocate within 48 hours of such a change.

4. Rule is disposed of accordingly.

(S.A.BOBDE,J.)

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